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1. Purpose and Scope. This chapter describes the contents of new cases and the basis for creating them as well as the role of Resource Centers. It also discusses how to create the physical files and in general how to create the electronic records (detailed instructions are given in the ECMS Users Manual).

2. Resource Centers. Claim forms can be obtained at Resource Centers established by the Department of Labor's Office of Workers' Compensation Programs and the Department of Energy's Office of Worker Advocacy. The purpose of the Resource Centers is to provide assistance in filing claims. For more information regarding the Resource Centers, please refer to the Resource Center Manual.

3. New Cases. A new case usually consists of Forms EE-1 or EE-2, with accompanying EE-3, Employment History Affidavit.

a. Written Notice. A new case may be created based on written communication from the claimant, claimant's representative, or a Resource Center. Any one of the following documents should be considered a request for benefits.

(1) Form EE-1, Employee's Claim for Benefits.

(2) Form EE-2, Survivor's Claim for Benefits.

(3) Any letter or document containing words of claim under the EEOICPA. Words of claim constitute language from the claimant indicating that the individual is requesting benefits.

3. New Cases. (Continued)

b. Lack of Information. If vital information, (such as diagnosed condition being claimed, location or type of employment, etc.) is missing on the claim form, the responsible Claims Examiner should request the omitted information from the claimant. The CE's letter should explain the reason the request is being made. See PM 2-100-2 for more information concerning requesting information from the claimant.

4. Creating Physical Cases. Case files are letter-size (8 1/2" x 11") half-cut Kraft folders. Each digit appears on a bright-colored background. New cases contain the following:

a. Forms. Starting from the bottom, all forms, letters, and other documents should be filed on a single spindle as follows:

- (1) Form EE-1 and/or EE-2 should be on the bottom of the spindle.
- (2) Form EE-3 should be on the top of the EE-1 or EE-2.

b. Medical reports, letters, and other remaining claim forms and/or documents. All papers should be in the file in chronological order (by date received in the office) from the bottom to the top (oldest documents on the bottom, newest documents on the top). However, all documents that still require action (such as the payment certification form or other documents requiring further verification) should not be spindled until the action is completed.

5. Creating Automated Cases. Case Create Clerks (CCCs) create new cases and add them to the automated system.

a. Social Security Numbers (SSN). The database record for each case should contain the employee's SSN. New cases are created and numbered using the employee's nine (9) digit SSN or a nine (9) digit dummy SSN.

5. Creating Automated Cases. (Continued)

b. Creation of Dummy SSN. The computer system will automatically assign a dummy social security number (SSN) when the claimant fails to supply a SSN (the first three characters will be "000"). The Case Create Clerk (CCC) will tab through the SSN field and enter the claimant's last name, first name, and middle initial. The computer will prompt "OK to create case file number," the CCC will enter "yes." The computer will then generate a dummy SSN.

c. After Case Creation. When a batch of cases has been created, the CCC will note on the case jacket of each claim the location it is to be transferred to within the DO and enter the appropriate location code in ECMS.

6. Duplicate Cases. The automated system checks for duplicate cases. However, duplicates may still be created if an incorrect SSN is used. If this happens, the duplicate case should be deleted from the automated system. The following steps should be taken after the duplicate record is deleted from the automated system:

a. Notation on Case Jacket. The M&F Clerk should write "Duplicate of 000-00-0000" (number of other file) on the outside of the duplicate jacket.

b. Forms. The M&F Clerk should re-number all forms in the upper right corner with the number of the case to be retained. These forms should then be combined with the retained case.

c. Advising the Claimant. The M&F Clerk should advise the claimant by letter that the duplicate case was created in error and that only the number of the retained case should be used. However, if the claimant has not been notified of the duplicate number, then there is no need to send the letter.

d. Bills Paid in Duplicate Case. If this occurs, a memorandum should be prepared for the ADP, Coordination & Control, Branch Chief explaining that bills have been paid in duplicate cases. Provide the active case number for payment of bills. The bill pay history will be transferred to the active case.

7. Deleting Case File Records. A case record may not be deleted unless it is a duplicate of a previously created case. In situations where there is a duplicate claim, the case deleted should usually be the one with the most recent "received" date. However, if all compensation and bill payments were made in the later case, the earlier case should be deleted retaining all documents from both cases to show the date of first filing.